

Notice of Allowability	Application No.	Applicant(s)	
	09/787,204	MASON, ANDREW JAMES	
	Examiner	Art Unit	
	Dihye Boa	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 3/15/2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>3/15/01</u> XXXXXXXXXX | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Authorization for this examiner's amendment was given in a telephone interview with attorney Stephen A. Becker on June 27, 2005.

In claim 16, line 1, substitute -- **A medium carrying, in** – for “In”.

Allowable Subject Matter

2. Claims 1-16 are allowed with the above Examiner's Amendment over the prior art of record.

The following is an examiner's statement of Reasons for Allowance:

As to claims 1 and 8 (method), 14 and 15 (apparatus) and 16 (computer-readable medium), they are allowable because they recite re-encoding of an audio signal, by providing with the decoded audio signal, an auxiliary data signal (such as a coded audio signal at the input to the decoder or coded audio samples at the input to the decoder minus the quantized audio samples which can be re-created identically from the PCM audio signal – as detailed on pg 5 of the Specification) with the encoded audio signal, including signature information generated from the decoded signal (such as mean, a signal level, standard deviation or a checksum). The signature information is used to detect changes which are likely to affect the signal quality in re-encoding, and depending on the detected change the auxiliary data are used for re-encoding.

3. Mahieux teaches a device for coding auxiliary information for communicating along with a coded audio signal. Mahieux does not teach recoding, nor generating signature information for use in detecting a change in the input audio signal for recoding the signal using auxiliary information.

Fletcher teaches: a seamless cascaded de-encoding and re-encoding of audio signals, but does not teach signature information representative of the decoded audio signal for use in detecting a signal-quality-affecting change in the decoded audio signal.

Thus, Neither Mahieux nor Fletcher teach nor, in combination, fairly suggest the recited re-encoding of decoded signal using auxiliary data and its signature information.

The dependent claims 2-7 and 9-12 are allowed because they further limit the independent claims or their parent claims.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Lee *et al.* (U.S. Patent 5,687,191) teaches a method for providing auxiliary data subband samples in a compressed subband coded digital audio data stream.

Spille (U.S. Patent 5,712,920) teaches a method of simultaneously transmitting and decoding an audio signal and an auxiliary signal, which is inseparable from the audio signal.

Andrew McParland (GB 2 340 351 A) teaches a method of inserting auxiliary digital data in a main data stream, which has been decoded from a coded data stream.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner Dihye Boa, whose telephone number is (571) 272-7609. The examiner can normally be reached on Mon-Fri 8:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits, can be reached on (571) 272-7628. The facsimile phone number for the Technology Center 2600 is (703) 872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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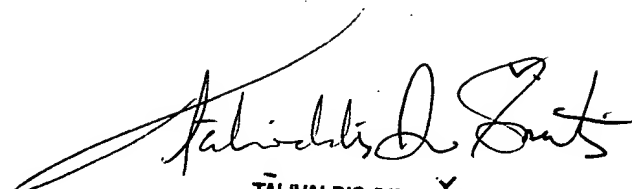
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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dihye Boa

06/24/2005



TĀLIVALDIS IVARS ŠMITS
PRIMARY EXAMINER